ALFONSO GIANGRANDE

MARCH 3, 1958.—Committed to the Committee of the Whole House and ordered to be printed

Mr. Poff, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany H. R. 2093]

The Committee on the Judiciary, to whom was referred the bill (H. R. 2093) for the relief of Alfonso Giangrande, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE

The purpose of the proposed legislation is to pay \$500 to Alfonso. Giangrande of Brooklyn, N. Y., in full settlement of his claims against the United States for reimbursement of the amount of a departure bond he posted on September 27, 1949, in connection with the admission of an alien, Mrs. Anna Valenti Aiese, to the United States.

STATEMENT

On September 27, 1949, Mr. Alfonso Giangrande posted a bond in the amount of \$500 in connection with the admission of his niece, Anna Valenti, into the United States as a temporary visitor. Aftershe arrived in the United States she was married to Frank Aiese, an American citizen. Mr. Aiese petitioned in her behalf for a change in her status to that of a nonquota immigrant. That petition was approved on June 8, 1951.

In Mrs. Anna Valenti Aiese's case, preexamination and voluntary departure were authorized and she departed to Canada from which she reentered the United States and was lawfully admitted for permanent residence. However the bond posted by Mr. Alfonso Giangrande in her behalf was declared breached and the collateral was covered into the Treasury. As evidenced in its report to this committee, the Justice Department has taken the stand that the bond was properly declared breached and forfeited to the United States.

This committee has carefully considered this case from the stand-point of the circumstances of Mrs. Aiese's staying in this country over the period limited by the terms of her original admission. She married a citizen of the United States, and by virtue of the procedures of preexamination and then reentry she was granted the status of a lawfully admitted permanent resident. She has now been naturalized as a citizen of the United States. On this state of facts this committee feels that it would be unjust to have Mr. Giangrande bear the loss of the amount of the bond, and therefore the committee has determined that this is a just case for legislative relief. Accordingly this committee recommends that the bill be considered favorably.

From the material submitted to the committee it appears that an attorney has rendered services on this matter and therefore the bill carries the customary attorney's fee proviso.

DEPARTMENT OF JUSTICE,
OFFICE OF THE DEPUTY ATTORNEY GENERAL,
Washington, D. C., August 20, 1957.

Hon. EMANUEL CELLER,

Chairman, Committee on the Judiciary,

House of Representatives, Washington, D. C.

DEAR MR. CHAIRMAN: This is in response to your request for the views of the Department of Justice relative to the bill (H. R. 2093) for the relief of Alfonso Giangrande.

The bill would provide for the payment of the sum of \$500 to Alfonso Giangrande, of Brooklyn, N. Y., as reimbursement of the amount of an immigration departure bond posted by him on behalf of an alien, and subsequently breached and forfeited to the United States.

A review of the file in this case discloses that Anna Valenti, a native and citizen of Italy, was admitted to the United States at the port of New York on September 25, 1949, as a temporary visitor for a period to expire on December 27, 1949. A bond in the sum of \$500, to insure her departure within the time specified, was furnished by claimant in this bill. Application for an extension of the alien's temporary stay was denied. She married Francis R. Aiese, a citizen of the United States whose petition on her behalf for a nonquota status was approved on June 8, 1951. Preexamination and voluntary departure were authorized and she departed to Canada whence she reentered the United States and was lawfully admitted for permanent residence. The bond posted by claimant in behalf of this alien was declared breached and the collateral was covered into the Treasury. The alien was naturalized as a citizen of the United States on November 15, 1955.

The bond in this case was properly declared breached and forfeited to the United States, and no reason appears why the amount thereof should now be returned to the surety. Accordingly, the Department of Justice is unable to recommend the enactment of the bill.

The Bureau of the Budget has advised that there is no objection to the submission of this report.

Sincerely,

WILLIAM P. ROGERS, Deputy Attorney General.